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SUMMARY RECORD OF THE 41st MEETING

Chairman: Mr. TSHERING (Bhutan)

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The meeting was called to order at 10.40 a.m.

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(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/50/36)

(e) REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (continued) (A/50/36)

1. Mr. TORELLA DI ROMAGNANO (Italy) said that the representative of Spain, speaking on behalf of the European Union under agenda item 112, had invited the Committee to consider two issues: the problem of reservations to human rights instruments and the Second Optional Protocol of the International Covenant on Civil and Political Rights. Increasing numbers of States had been using reservations in a way that ran counter to the ruling of the Vienna Convention on the Law of Treaties. If, when ratifying a convention, a State declared under the terms of its reservation that it was bound by the instrument only in so far as it was not contrary to domestic legislation, then in real terms it had not accepted any international obligation, and the appearance of its name on the list of signatories was irrelevant.

2. Commission on Human Rights resolution 1995/22 had, inter alia, urged States to accede to the Optional Protocols to the International Covenant on Civil and Political Rights. Accession to the Second Optional Protocol made a State's

commitment not to dispose of human life irreversible. Italy considered the question of capital punishment as a very sensitive human rights issue, and had always requested that it should be considered in international forums in a constructive and cooperative spirit. In 1994, the Italian Government had proposed a moratorium on executions until the year 2000 and eventual ratification by all retentionist States of the Second Optional Protocol.

3. Various international instruments provided that the death penalty, where enforced, should be applied only to the most serious crimes, and that juveniles, pregnant women, new mothers and insane persons should be exempt. They also provided that capital punishment should be carried out without inflicting unnecessary pain. While the abolition of capital punishment was not yet a fully recognized international obligation, the international community should take action to curb the massive violation of rules concerning the personal and objective limitations and conditions on the execution of death sentences.

4. With reference to his Government's proposal that a world court on human rights should be set up, he said that whenever a human rights problem was under consideration, the first question raised was whether or not the individual had a real and effective means of redress. That was most commonly offered through national judges. However, the need to provide the international system of human rights with its own judicial organization had long been felt at the regional level, as illustrated by the claims mechanism of the European Convention on Human Rights. Other regional organizations had followed that example, adapting it to their different systems. His Government believed that the establishment of an international court with competence over internationally protected human rights within the framework of the United Nations would provide a real guarantee of universal respect for those laws, and he would welcome the responses and proposals of other States.

5. Mr. AQUARONE (Netherlands) said that recent events had led many to consider any individual as a potential violator of human rights, and any objectionable act as a possible human rights violation. However, human rights legislation had been introduced to protect the individual against unfair treatment by the State, and it was therefore central to the concept of human rights that only the State and its agents could commit violations of human rights, since it was the sole recognized authority with power over those residing within its borders. The illegal acts committed by criminals or terrorists were criminal offences, and it would be wrong to consider them as human rights violations, since that might tempt States to use the misconduct of others to condone their own violations.

6. Human rights instruments represented an opportunity for States to recognize their own fallibility, demonstrate their attachment to their people and the seriousness of the commitments which they had undertaken. The Netherlands firmly believed that the effective promotion and protection of human rights was one of the cornerstones of a democratic State, as well as the legitimate concern of the international community.

7. One of the main concerns of his country's foreign policy was to strengthen the international legal order. His delegation therefore firmly supported the signature, ratification and implementation of the international human rights instruments, believing that those texts empowered the individual against unfair

treatment by the State and contributed to human dignity. It was encouraging that such a large number of States had ratified the Convention on the Rights of the Child. He would have liked to believe that that reflected a truly universal political commitment to the principles of the Convention that would lead to an improvement in the situation of children world wide. However, many States, in becoming party to the Convention, had entered numerous, sweeping reservations. While reservations were legitimate in international treaty law, it was understood that such reservations could not be contrary to the purpose of a treaty in question. It was also understood that international conventions were part of the legal corpus which enjoyed precedence over national legislation. States were therefore required to examine their own legislation, and where necessary, to modify it, before entering into a treaty obligation.

8. With reference to the Convention on the Rights of the Child, the Netherlands had examined possible conflicts very closely, and had ensured that national legislation was in line with its international commitments. That had taken considerable time and effort, which meant that his country had been able to become party to the Convention only in 1994. Some States, however, declared they would apply the Convention only in so far as it was not contrary to national legislation, thereby in fact refusing to undertake any new obligations under the Convention. He therefore urged all States which had made reservations to human rights treaties to which they had become a party to review those reservations regularly, with a view to ultimately withdrawing them.

9. The purpose of optional protocols was to enhance the application of a given convention. Careful consideration had to be given to the desirability of optional protocols, to ensure they did not weaken the provisions of the convention. The Netherlands considered that the Draft Optional Protocol to the Convention against Torture weakened implementation of the Convention, and was therefore taking a cautious approach to it.

10. The treaty bodies had made an important contribution to the implementation of human rights instruments, as well as to their development: new views and interpretations had first appeared within those bodies, before becoming more widely acceptable to States parties. It was important that the independence of treaty bodies should be further strengthened, and that members be selected exclusively on the basis of their personal qualifications. Furthermore, the treaty bodies were in great need of increased financial and human resources if they were to carry out their tasks adequately.

11. Mr. YOOGALINGAM (Malaysia) said that in the search for alternative approaches to the promotion and protection of human rights, it should be recalled that some of the alleged inadequacies in the promotion of civil and political rights were often rooted in economic and social injustices. In that context, the Vienna Declaration and Programme of Action, which reaffirmed the right to development as an integral part of human rights, was a sound basis on which to build cooperation in all human rights issues.

12. The Working Group on the Right to Development, which had been asked by the Commission on Human Rights to identify obstacles to and ways of realizing the right to development by all States, had recommended that the debate on the right to development should be pursued through an intergovernmental group of experts

which would elaborate a global strategy for the promotion of the full realization of that right. Unfortunately, since the report of the Assistant Secretary-General for Human Rights containing that recommendation had not been made available to the Committee, it was difficult to arrive at any conclusions. The Committee had to decide whether the mandate of the Working Group should be extended, and whether the Commission on Human Rights should be instructed to study the reports of the Working Group at its fifty-second session.

13. His delegation paid tribute to the former Special Rapporteur on the situation of human rights in the former Yugoslavia, saying he had done much to bring to the attention of the international community the violent acts of terrorism committed by the Serbs against the people of Bosnia and Herzegovina. However, the international community remained unable to stop such wanton violations of human rights, and it was not surprising that the Special Rapporteur had felt compelled to resign by the failure of the United Nations to protect the population of the safe havens guaranteed by international agreement. The international community should give every support to the International Tribunal for the former Yugoslavia to enable it to carry out its task.

14. While the Special Rapporteurs had received extensive support from the Governments of Bosnia and Herzegovina, the Republic of Croatia and the former Yugoslav Republic of Macedonia, the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs had repeatedly refused to allow the Special Rapporteur access to the areas under their control. Such defiance must be sanctioned by the international community, and immediate and unimpeded access to all Bosnian Serb-held territory must be allowed. Investigations should be carried out immediately to identify the sites of mass graves and places where mass and summary executions had been carried out. Countries in possession of documentary evidence should assist the International Tribunal in preparing their indictment of war criminals. Attention should also be drawn to the gross violation of human rights against the non-Serb population of Kosovo, Sanjak and Vojvodina. Lastly, he wished to reiterate his country's commitment to the promotion of all human rights for the betterment of humanity.

15. Mrs. KOVALSKA (Ukraine) said that the protection of the rights of national minorities was a global concern, since almost no countries had ethnically homogeneous populations. In Ukraine, where national minorities made up one quarter of the population, the safeguarding of their rights through the adoption and implementation of legislation in line with international standards was a priority.

16. For decades, the Government of the former Soviet Union had pursued policies aimed at weakening national identity in order to create an artificial unity. The impact of those policies on the situation of national minorities must be taken into account by both policy makers and United Nations monitoring bodies. In Ukraine, the problem of resettling descendants of Crimean Tartars forcibly deported under the previous regime had led to inter-ethnic tension. International support was needed to supplement domestic efforts in that area, and Ukraine welcomed the contribution of the United Nations Development Programme office in Ukraine.

17. After the collapse of the Soviet Union, millions of people had found themselves living as members of a minority outside their native countries. The level of protection afforded them by the successor States to the Soviet Union varied and was determined by the domestic legislation in force and the extent of each country's economic difficulties. Ukraine was taking steps to ensure that its policy of reviving the national identity did not infringe upon the rights of its minorities. Funds were allocated from the State budget to meet the specific educational and cultural needs of those groups. It was therefore a cause for concern that Ukrainians living outside the country were denied the right to preserve their language and culture. Certain countries had adopted legislation discriminating against minorities. Equally reprehensible were the attempts by some States to encourage the separatist aspirations of their nationals residing as minorities in neighbouring countries and to exploit such aspirations as a pretext for territorial claims. In some cases, the institution of dual citizenship was being abused in an attempt to extend Governments' jurisdiction to citizens of other sovereign States.

18. Ukraine's experience had shown that effective bilateral mechanisms were necessary to provide States with the legal means to protect their nationals living in neighbouring countries. Ukraine had proposed a set of principles to regulate relations between States with regard to their national minorities: mutual respect of sovereignty, non-interference in domestic affairs, equal partnership and non-use of political or economic pressure. Ukraine had noted with satisfaction the attention accorded by the High Commissioner for Human Rights to the need for regional cooperation to protect the rights of minorities. The framework European Convention for the Protection of National Minorities was a valuable document in that respect. A mechanism should be established to allow States non-members of the Council of Europe to accede to it. While Ukraine appreciated the report of the Secretary-General on effective promotion of the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities (A/50/514), the information it contained was fragmentary and should be supplemented by data gathered using the questionnaire system so as to allow for more detailed analysis. More effective international monitoring was needed to make Governments more accountable for their domestic policy on the protection of the rights of minorities, since that was a prerequisite for international peace and stability.

19. Mr. WILLIS (Australia) said that the human rights treaty system was one of the great achievements of the United Nations, but the system's growth was now threatening its effectiveness: heavy reporting obligations resulted in overdue reports, and the system was inadequately financed. His delegation believed that an overhaul of the system was necessary along the lines suggested by Mr. Philip Alston in his updated study (A/CONF.157/PC/62/Add.11/Rev.1). Australia commended his proposals for the development of a strategy to achieve universal ratification of the six core human rights instruments by the year 2000; the strengthening of the role of the international treaty bodies in encouraging national level institutions to safeguard human rights; the identification of measures to address the problem of overdue reports; and the replacement of comprehensive periodic reports by specifically tailored documents so as to reduce the number of reports required. His delegation also welcomed the recommendations by the persons chairing human rights treaty bodies: first, that the exchange of information between non-governmental organizations and the

treaty bodies should be improved and, second, that each treaty body should consider how it could most effectively incorporate gender perspectives into its work.

20. His delegation believed that, in addition to strengthening the human rights treaty system, the international community must accord greater attention to the development of alternative approaches for improving the effective enjoyment of human rights. The strengthening of independent national institutions was vital for promoting the observance of human rights. He wished to draw attention, in that regard, to the recommendation of the World Conference on Human Rights (Vienna, 1993) that each State should draw up a national action plan identifying measures to enhance the promotion and protection of human rights. Australia's own national action plan had proved to be a valuable way of setting an agenda for positive action. Measures at the national level must be complemented by strengthened subregional and regional cooperation.

21. The Vienna Conference had demonstrated the important role played by the provision of advisory services and technical assistance in helping States to strengthen the institutions of democracy and human rights. In Cambodia, for example, the office of the Centre for Human Rights and the Special Representative of the Secretary-General were undertaking ground-breaking work to assist the Government of that country to meet its human rights obligations under the instruments to which it had become a party. Australia urged the international community to continue its support for that process. Australia supported the proposed restructuring of the Centre for Human Rights. While it was to be hoped that the Centre would be allocated the resources necessary to implement the changes, it was equally important that those resources should be used efficiently. Another important achievement of the Vienna Conference had been the creation of the post of High Commissioner for Human Rights. Since his appointment, the High Commissioner had worked steadily to strengthen the United Nations human rights treaty system and to improve coordination of its activities to promote human rights. Australia had been pleased to provide his office with the services of a high-level expert.

22. A fundamental outcome of the Vienna Conference had been the recognition that international scrutiny of a country's human rights record was legitimate. His delegation urged the Governments of Cuba and the Islamic Republic of Iran to permit visits by the Special Rapporteur and Special Representative of the Secretary-General, respectively, and shared the international community's concern at the human rights situation in those countries. In Iraq, gross violations of human rights, including arbitrary arrest, torture and summary executions, continued. The repression of the Kurds and the Marsh Arabs was reprehensible.

23. The situation in Sudan required close monitoring. Reports of intimidation, detention and torture of opponents of the Government continued. His delegation urged the Sudanese Government to negotiate a settlement to the civil conflict, to abide by the International Covenant on Civil and Political Rights to which it was a party and to cooperate fully with the Special Rapporteur.

24. Australia welcomed the release of Daw Aung San Suu Kyi as a positive development in Myanmar and encouraged the Government to engage in a substantive

political dialogue with her and other political leaders. His delegation also called on the Government to release all remaining political prisoners. Regrettably, the overall human rights situation in Myanmar continued to be of grave concern to the international community. His delegation again called on the Myanmar authorities to fully respect their international human rights obligations. It also urged the Government to broaden participation in the National Convention and to operate the Convention on the basis of genuine consensus.

25. His Government actively supported the suspension of Nigeria's membership of the Commonwealth, at the recent meeting of Commonwealth heads of Government, because of its ongoing failure to adhere to a number of fundamental principles of the Harare Declaration, including respect for human rights. The execution of Ken Saro-Wiwa and the other Ogoni activists, after a severely flawed legal process, was but one further manifestation of the Nigerian Government's refusal to grant basic rights to its people. His Government continued to strongly urge Nigeria to restore democracy to the country and to protect and promote fundamental human rights.

26. The critical breakthrough provided by the Dayton agreement provided the first real hope that the horrific human rights abuses which had characterized the conflict in the former Yugoslavia would come to an end and that the perpetrators of those abuses would be brought to justice. Human rights protection must be an integral part of the peace implementation process because a lasting peace would depend crucially on the development of a culture of human rights. Early prosecution of the perpetrators of human rights abuses would also be important for a successful peace-building process. Australia was committed to supporting the International Tribunal for the former Yugoslavia and called on all the countries of the former Yugoslavia to cooperate fully with the Tribunal.

27. While Australia was very pleased that a degree of stability had returned to Rwanda and Burundi, peace remained tenuous. The international community must continue to support the restoration of stability and the safe return of refugees in Rwanda and Burundi to avoid further violence and to foster regional security. The task of promoting and protecting all human rights and fundamental freedoms must remain central to all the Organization's endeavours to promote peace and prosperity throughout the world.

28. Mr. LI (China), stressing the importance of international human rights instruments and the corresponding monitoring mechanisms, said that there were a number of problems with regard to the actual operation of the monitoring system. First, States parties were overburdened with too many reports. Many countries, especially the developing countries, were weighed down by the burden of submitting timely reports that met the requirements. Those difficulties constituted the main reason for the large number of overdue reports. That was also why some States hesitated to join a convention, thus affecting its universality. Secondly, treaty bodies overlapped, and efficiency was low. At present, there were too many human rights monitoring bodies without proper coordination among them. Reports submitted to various bodies were repetitive, as were the questions directed to Governments under the provisions of the treaty bodies. Furthermore, some treaty bodies failed to strictly fulfil their mandated responsibilities by either going beyond their terms of reference or

repeating the work of other bodies. The effective implementation of the various human rights instruments would be facilitated by reforming the reporting system and ensuring that treaty bodies strictly fulfilled their responsibilities within their respective spheres of competence. In order to function well, treaty bodies must abide by the principles of respect for State sovereignty and non-interference in internal affairs. His delegation was prepared to join others in working to enhance the effective implementation of human rights instruments.

29. The Chinese Government had always appreciated and supported United Nations efforts to promote human rights and fundamental freedoms in accordance with the purposes and principles of the Charter. China had also actively participated in the drafting and formulation of many United Nations human rights instruments, as evidenced in the fact that it had signed, ratified and acceded to 15 international human rights conventions. At the same time, China's national legal system had been strengthened; for example, a number of specific laws had been promulgated to protect the rights and interests of women and children. National laws concerning the prohibition of torture had also been improved. The Chinese Government was conscientiously implementing its obligations under conventions it had acceded to, and was consistently preparing and submitting reports under the provisions of those conventions. In the course of producing those reports, it always solicited the views of a wide range of governmental departments, civic societies and non-governmental organizations. His delegation was confident that the reports already submitted or to be submitted by the Chinese Government would help the international community obtain a comprehensive and detailed understanding of China's implementation of relevant human rights conventions.

30. Mrs. ALBRIGHT (United States of America) said that, although there was a widespread trend towards democracy in the world, it was not universal. Many Governments continued to rely not on the consent of the governed for their authority, but on coercion. Myanmar was one example. While it was encouraging that the Government had released a number of political prisoners, including Aung San Suu Kyi, it was very discouraging that it had failed thus far to begin a serious political dialogue with her and other representatives of the democratic movement and of ethnic groups. It was discouraging that the National Convention called to draft a new constitution was not representative of the people of Myanmar, and that the Government had done so little to lift the cloud of fear and repression caused by its past and current policies. Her Government urged the General Assembly to restate, in clear and compelling terms, its support for democracy and respect for internationally recognized human rights in Myanmar. The Assembly should call for the release of the remaining political prisoners and for an end to torture, forced labour and forced porterage, and disappearances and killings of civilians by the military.

31. The release of Aung San Suu Kyi provided at least the hope that in Myanmar - with sufficient international interest and support - the human rights situation would improve. In Iraq, it was far harder to find grounds for hope. The policies of Saddam Hussein were unchanged; his abuses against the Iraqi people continued, and so did his lies to the world. For years, the Iraqis had denied that they possessed a programme to produce biological warfare agents. In 1995, however, it had been revealed that they had produced enough anthrax and

botulinin to kill every man, woman and child on earth, and that, prior to the Persian Gulf War, they had placed those deadly poisons in artillery shells. One of the great services the United Nations could perform on behalf of human rights was to ensure that Iraq was never again permitted to build weapons of mass destruction. Iraq's regime had rejected Security Council resolutions specifically designed to allow the purchase of humanitarian goods. It continued to jail, torture and execute dissidents and those thought to harbour dissenting thoughts. In the north, it continued to block relief shipments. In the south, it had destroyed 90 per cent of the marshes and killed or forced into exile 80 per cent of the population. Moreover, in a failed effort to hide its abysmal record from the world, it had continued to deny permission to visit to the Special Rapporteur. Iraq must comply with relevant Security Council resolutions, including resolution 688 (1991), and halt the repression of its own people.

32. Iraq was not alone in its region as a consistent and gross violator of internationally recognized human rights. For years, Iran had caused similar concerns. Teheran's effort to cover up had not obscured repeated instances of torture, summary execution, arbitrary detention, unexplained disappearances, absence of due process and suppression of civil liberties and religious freedom. In addition, the Special Representative on human rights in Iran had not been allowed to visit since 1991. Her Government called upon Iran to end its repression of the Iranian people, and to permit a visit by the new Special Representative.

33. Elsewhere around the world, the United States remained concerned about the lack of democracy and respect for internationally recognized human rights in a number of countries, including Cuba. Today, the Castro regime was the only Government in the Western hemisphere that denied its citizens basic freedoms of association and speech. The United Nations High Commissioner for Human Rights had visited Cuba in 1994, but that visit had not led to any overall improvements in human rights. In April, a military tribunal had sentenced human rights leader Francisco Chaviano to 15 years in jail on trumped-up charges. Furthermore, Cuba continued to deny entry to a United Nations Special Rapporteur on human rights. Her Government called upon Cuba to recognize the right of political parties and independent labour unions to organize, to permit freedom of assembly and freedom of speech, to respect due process, to allow national and international humanitarian groups to inspect prison conditions and to allow the Special Rapporteur to visit.

34. Nigeria was another country where a fundamental change in the attitude of the Government towards human rights was needed. The execution on 10 November of Ken Saro-Wiwa and eight others had been a lawless act, masquerading as an act of law, by a regime that misunderstood the very purpose of law. The current Nigerian Government was engaging in a full range of abuses, including arbitrary detention, torture, the harassment of human rights monitors, a ban on opposition political activity and restrictions on free speech and association. The Government also had systematically undermined the credibility, fairness and effectiveness of the Nigerian judiciary. Her Government called upon the Government of Nigeria to restore civilian democratic rule promptly and to demonstrate respect for human rights by releasing political prisoners,

reinstituting habeas corpus, lifting restrictions on political activity and guaranteeing freedom of expression and association.

35. The Government of the Sudan remained an egregious violator of internationally recognized human rights. Over the past year, there had been increasing reports of slavery and forced labour of women and children belonging to racial, ethnic and religious minorities; of atrocities against indigenous peoples; of indiscriminate aerial bombardments against civilian targets, and of unaccompanied minors being conscripted into military service. Yet her delegation had not heard of any investigations - for which her Government reiterated its request - into the killings of Sudanese nationals employed by foreign relief organizations and Governments. The only silver lining in the very dark cloud of Sudan's human rights record had been the release in August 1995 of a number of political prisoners and the Government's announced intention to proceed with free elections in 1996. The civil war in the Sudan had been an ongoing tragedy, in which none of the factions had taken seriously the basic human rights of the Sudanese people. The time had come for the Government and for opposition political leaders to resolve their differences on the basis of dialogue, democracy and decency.

36. The Chinese Government's human rights practices had long been a matter of concern to the United States, particularly actions restraining the peaceful expression of dissenting political, social and religious views. Many Americans were profoundly concerned by the recent formal arrest of the well-known dissident, Wei Jingsheng. Her Government looked to the Chinese Government to take specific steps to conform to international human rights norms, including releasing persons detained solely for the peaceful expression of their opinions and preserving the unique cultural, linguistic and religious heritage of Tibet. Human rights issues had properly been the subject of continuing formal and informal bilateral exchanges between her Government and that of China. Although the dialogue had been interrupted, it was to be hoped that it would soon resume in light of recent conversations between the two Presidents.

37. In recent years, what had been referred to historically as the "nationalities problem" had re-emerged in numerous areas around the world. The exploitation of ethnic and nationalist passions had produced bloody conflict in Bosnia, Rwanda, Liberia, the Caucasus and elsewhere. Frequently the victims of such conflicts were not those trained and prepared for war, but rather persons who were abused not for what they had done but for who they were.

38. In Rwanda and Burundi, the success of diplomatic efforts to prevent renewed conflict would depend partly on the willingness of the Governments involved to balance security needs with respect for human rights and dialogue.

39. In the former Yugoslavia, a breakthrough had occurred. If implemented, the peace agreement initialled last week would bring an end to the worst abuses of human rights seen on the continent of Europe since the end of the Second World War. Under the agreement, the rights of the people of Bosnia and Herzegovina would be recognized by the Constitution and safeguarded by a human rights ombudsman and a special human rights court. Those held in prisons or labour camps for reasons related to the conflict would be released. All parties had agreed to cooperate with the International Committee of the Red Cross, United

Nations agencies and human rights monitoring organizations. A commission for refugees and displaced persons would be created to settle disputes resulting from dislocations caused by war. Each party was obliged to cooperate fully with the international investigation and prosecution of war crimes.

40. Ethnic violence and intolerance were the greatest causes of instability and human rights violations in the world. The founders of the United Nations, like the founders of the United States, had viewed the nation not as an end in itself, but as an instrument of law, justice, freedom and tolerance. The greatest divide in the current world was between those ensnared and by the habits and hatreds of the past and those striving to build a future. Accordingly, her country appealed to all Governments to support efforts to bring lasting peace to troubled regions, recognize the unbreakable link between human development and human freedom, and abide by the Universal Declaration of Human Rights.

41. Mr. PORTALES (Chile) said that the mechanisms set up to punish States that had violated international human rights should be complemented by mechanisms for taking specific action to help States endeavouring to improve their democratic institutions and observance of human rights. That was particularly necessary with regard to countries that still did not have a strong democratic culture or were at a low level of economic and social development. Significantly increasing the resources for the advisory services of the Centre for Human Rights would be a first step in that direction and could enhance the effectiveness of the Centre's work by enabling it to conclude a large number of agreements with national human rights institutions, universities, foundations and non-governmental human rights organizations.

42. In order to make best use of scarce resources, it should be kept in mind that the Centre's programmes were intended for countries that were firmly committed to strengthening the rule of law. In that connection, he underscored the valuable support provided by the Centre to countries in transition towards democracy. In helping States based on the rule of law, all United Nations specialized agencies should include among their priorities the development of programmes for countries that were moving in that direction. International cooperation must strengthen the moral and material welfare of the greatest number of persons. The scarcer the resources, the greater the moral imperative to use them in a manner that really benefited those who needed them the most and could make best use of them. The various international financial and technical assistance agencies linked to the United Nations system should also follow that approach. In that manner, the major priorities of the system of international cooperation would be based on the universal values that underpinned the essentially humanitarian objectives of such cooperation.

43. Mr. TURK (Slovenia) said that tolerance was a universally shared value that transcended the needs of any particular region, cultural or legal tradition, or political system. Tolerance was a value which encompassed respect for pluralism and genuine acceptance of cultural diversity. Efforts to promote tolerance should be accompanied by action to prevent and combat intolerance. In its 50 years of existence the United Nations had made an important contribution to building a more tolerant world, principally through the establishment of legal

norms. Much remained to be done, however, in terms of their practical implementation.

44. The 1993 World Conference on Human Rights had reaffirmed the universality of human rights norms. The various reports of the Special Rapporteurs demonstrated their high degree of commitment and the useful work that they had carried out. In that connection, he paid special tribute to Mr. Tadeusz Mazowiecki, the Special Rapporteur on the situation of human rights in the former Yugoslavia, for his objectivity and commitment to human rights. It was hoped that other Special Rapporteurs would be able to draw on the experience gained by him in the preparation of their reports.

45. The report on effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (A/50/514), which marked a new stage in the Organization's efforts to address the issues of minorities, provided information on the policies of Governments with regard to different minority rights and the activities of various bodies in that field. Only a few Governments had provided information on their policies and it should be kept in mind that those issues must be dealt with in all their regional diversity. Such information need not necessarily be based on government reports. The working group on minorities established by the Subcommission on Prevention of Discrimination and Protection of Minorities and the Centre for Human Rights, once it was reformed, could provide meaningful input in that regard. In that way, the United Nations would develop a sophisticated capability for providing useful policy advice.

46. Much of the recent developments with regard to minority issues had taken place in Europe. The Council of Europe and the Organization for Security and Cooperation in Europe had made much progress at the legislative and practical levels. There was no need for the United Nations to duplicate that work. Careful attention, however, should be given to the global dimension of those issues. Studying the experience in other regions should be a priority of the working group on minorities. In addition, the Subcommission itself should pay more attention to the issues of minorities and give greater consideration to the reports of the working group.

47. The Working Group on the Right to Development established by the Commission on Human Rights had given considerable attention to the question of obstacles to the realization of that right. Those obstacles could not be fully understood, let alone effectively addressed, without reference to fundamental human rights, particularly civil and political rights. Accordingly, the Working Group should focus on the observance of human rights, which was essential in order to eliminate the obstacles to the right to development. Failure to observe basic civil rights to a fair trial and freedom of expression, as had been the case in Nigeria recently with the execution of Ken Saro-Wiwa and other prominent human rights activists, destroyed confidence in the judiciary, frightened people and impeded their empowerment.

48. Progress was being made in implementing the Plan of Action for the United Nations Decade for Human Rights Education. His delegation particularly welcomed projects such as international consultation to consider the relevance of educational theories and practices in human rights education and the

establishment of a media advisory board. Educational systems and the media were important factors in human rights education and should be given greater attention. In particular, the media could do more to strengthen the culture of tolerance and human rights and the United Nations should encourage their role in that regard. Lastly, he hoped that the restructuring of the Centre for Human Rights would proceed speedily and that the Centre would be given adequate human and financial resources to carry out its work.

AGENDA ITEM 107: ADVANCEMENT OF WOMEN (continued) (A/C.3/50/L.24)

49. Ms. ENKHTSETSEG (Mongolia), introducing draft resolution A/C.3/50/L.24, on improvement of the situation of women in rural areas, said that Cape Verde, Georgia, Jamaica, Kazakstan, Nigeria, Thailand, Sudan and the United Republic of Tanzania had joined the sponsors. The overall situation of women in rural areas, particularly in developing countries, remained highly unsatisfactory. The draft resolution called for a number of measures to be taken at both the national and international level in order to assist them. The text of the draft resolution reflected the consensus language in the corresponding part of the Beijing Platform for Action and it was hoped that it would be adopted by consensus.

50. Mr. JALLOW (Gambia) said that his delegation attached particular importance to that item and wished to sponsor the draft resolution.

51. The CHAIRMAN said that Botswana, El Salvador, Ghana and Liberia also wished to join the sponsors of draft resolution A/C.3/50/L.24.

The meeting rose at 12.55 p.m.